

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: DA VINCI SURGICAL ROBOT
ANTITRUST LITIGATION

Case No. 21-cv-03825-AMO

ORDER FOLLOWING HEARING

Re: Dkt. Nos. 267, 298, 301, 306

Before the Court is Plaintiffs' motion for class certification. *See* ECF 267. In support of the reply brief associated with that motion, Plaintiffs submitted a "Class Rebuttal Report" of their expert, Professor Einer Elhauge. Glubiak Decl., Ex. 3 (ECF 296-4). Defendant objected to Professor Elhauge's rebuttal report. *See* ECF 298. Further, Plaintiff moved for leave to file a response to the objection. *See* ECF 301. The Court **GRANTS** Plaintiff's motion for leave to file a response and **ORDERS** Plaintiff to file the brief at ECF 300-2 as a standalone docket entry by no later than 5:00 p.m. on Monday, January 27, 2025. Defendant may file a brief of not more than five pages limited to identifying the portions of Professor Elhauge's Class Rebuttal Report that were not presented in any of the prior reports or testimony he provided in the case. Defendant's brief shall be filed by no later than noon on Monday, February 3, 2025.

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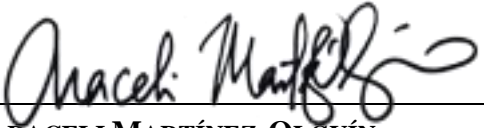
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The parties stipulate to remove an incorrectly filed document at ECF 256-8. *See* ECF 306. The Court **GRANTS** the parties' stipulation as modified. The Court **ORDERS** the Clerk to permanently seal 256-8.

IT IS SO ORDERED.

Dated: January 24, 2025


ARACELI MARTÍNEZ-OLGUÍN
United States District Judge

United States District Court
Northern District of California